UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

Stephen Wendell, and Lisa Wendell, for themselves and as successors in interest to Maxx Wendell, deceased

Plaintiff(s),

v.

Johnson & Johnson, et al.

Defendant(s).

CASE NO. C 09-04124 CW

Hearing Date: Thursday, 4/11/13
Hearing Time: 2:00 p.m.
Hearing Location: Courtroom 2, 4th Floor
1301 Clay Street
Oakland, CA 94612
Response Date: March 15, 2013
Reply Date: March 22, 2013

DECLARATION OF KEVIN HAVERTY, ESQ.

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1. I am an attorney at law admitted to the bars of the State of New Jersey and Commonwealth of Pennsylvania, and before this court *pro hac vice*. I am a partner in the law firm of Williams Cuker Berezofsky, LLC, and am the proper person to make this Declaration.

2. Attached hereto as Exhibit 1 is a true and correct copy of plaintiffs' first set of Requests for Production of Documents to defendant GSK and GSK's responses.

3. Attached hereto as Exhibit 2 is a true and correct copy of the Affidavit of Stella Jones submitted in support of defendants Centocor and Johnson & Johnson's motion for summary judgment filed on December 27, 2011.

4. Attached hereto as Exhibit 3 are true and correct excerpts of the deposition transcript of Robert Diamond, M.D. dated February 23, 2013

5. Attached hereto as Exhibit 4 is a true and correct copy of MedWatch report identified as NSASDSS2002025716 filed with the FDA by Centocor and attached to Johnson & Johnson's "Response to the US FDA Regarding the sBLA for the Pediatric Crohn's Disease Indication: Lymphoma in Pediatric and Adult Patients Treated with Infliximab (Remicade)" dated May 3, 2006.

6. Attached hereto as Exhibit 5 is a true and correct copy of a page from the infliximab

(Remicade) Adverse Event Reporting System database showing an adverse event report on August 8, 2002 of lymphoma in a patient taking Remicade and mercaptopurine and bearing number NSADSS2002025716.

7. Attached hereto as Exhibit 6 is a true and correct copy of a page from the mercaptopurine Adverse Event Reporting System database showing an adverse event report on August 8, 2002 of lymphoma in a patient taking Remicade and mercaptopurine and bearing number NSADSS2002025716.

8. Attached hereto as Exhibit 7 are true and correct excerpts from the transcript of the deposition of Sharon Popik, M.D. dated February 13, 2013.

9. Attached hereto as Exhibit 8 is a true and correct copy of a page from the mercaptopurine Adverse Event Reporting System database showing an adverse event report on September 6, 2002 of "lymphoma T-cell type acute" in a 48 year-old female patient taking Purinethold and Pentasa and bearing number A0363185A.

10. Attached hereto as Exhibit 9 is a true and correct copy of the 1998 Physicians' Desk Reference entry for the drug Imuran (azathioprine).

11. Attached hereto as Exhibit 10 is a true and correct copy of a PowerPoint slide deck marked as Exhibit 8 at the deposition of Robert Diamond, M.D. on February 23, 2013.

12. Attached hereto as Exhibit 11are true and correct excerpts from the transcript of the FDA's Gastrointestinal Drugs Advisory Committee meeting of July 21, 2011.

The foregoing statements by me are true. I am aware that if any of these statements willfully false, I am subject to punishment.

/s/ Kevin Haverty
Kevin Haverty, *pro hac vice*
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DATED: March 1, 2013